

APPROVED: Meeting No. 31-86

ATTEST:

Carl A. Kachadorian

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 21-86

May 12, 1986

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland on Monday, May 12, 1986, at 7:30 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman James Coyle

Councilman Douglas Duncan

Councilman Peter Hartoger

The Mayor in the Chair.

In attendance: City Manager Richard V. Robinson; City Attorney Paul Glasgow; City Clerk Helen M. Heneghan

Re: Proclamation: Rockville
Poppy Day - May 26, 1986

Proclamation No. 4-86

There being no objection from the Council, Mayor Van Grack proceeded to issue Proclamation No. 4-86, proclaiming May 26, 1986, as Rockville Poppy Day. Mayor Van Grack read the proclamation in which it was urged that all citizens participate in this commemoration for all those who have died in the cause of liberty and justice through the years. A representative of the American Legion, Erin Christy, presented poppies to the Mayor and Council and to the audience.

Meeting No. 21-86

-2-

May 12, 1986

Re: Presentation of
check by Rockville
Seniors, Inc.

Rosalie Campbell, representing Rockville Seniors, Inc., presented a check in the amount of \$6,400 to the Mayor and Council. This is a contribution to the City toward the FY 86 Operating Budget and contributed by the Seniors.

Re: Consent Agenda

On motion of Councilman Abrams, duly seconded and unanimously passed, Item A on the Consent Agenda for Award of Contract: Bid No. 74-86, water main cleaning and lining was removed from the consent agenda.

On motion of Councilman Abrams, duly seconded and unanimously passed, two increases in award for Heating Oil under COG Bid 5-0780-21-00 were added to the consent agenda.

Re: Adoption of Ordinance:
Supplemental Appropria-
tion - FY 86

Ordinance No. 12-86

On motion of Councilman Coyle, duly seconded and unanimously passed, Ordinance No. 12-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, amending the appropriations Ordinance for FY 86 was adopted by the Mayor and Council.

Re: Award of Contract: Sole
Source - Hardware
support of Minicomputer
- Hewlett-Packard 3000

The Hewlett-Packard (HP) 3000 minicomputer system was installed in February 1982. It is currently used to run twelve major applications supporting the offices of Budget, City Clerk, City Manager and Public Information, and the departments of Community Resources, Finance, Planning, Police, and Recreation & Parks.

The hardware maintenance includes:

1. All travel, labor, parts, and materials deemed necessary to maintain the computer equipment.
2. Remedial maintenance, including the diagnosis and correction of equipment malfunction and failures.
3. Preventive maintenance, including cleaning, adjusting, lubricating, inspecting & testing designed to reduce equipment failure & to extend its life.
4. Engineering improvements introduced by Hewlett-Packard
5. Site Environmental Surveys, including determination of proper operating conditions such as power, temperature, airborne particulate and humidity ranges.

Hewlett Packard has been the only source for this service. A firm, Windemere Systems Corporation has been providing service to a small base of customers for approximately three years. They have not, however, supported large-end machines such as the System 48 which is currently operated by the City and System 70 which is under consideration to purchase.

Hewlett-Packard has provided excellent and timely service and has a reliable spare parts inventory. The cost for this service is \$21,300. This cost has been determined to be fair and reasonable. It reflects a 23% reduction from last year's cost due to a decrease in the monthly maintenance cost for a new tape drive which has been purchased to replace an older, more complicated tape drive.

For the above reasons, it is determined that only Hewlett-Packard Company can provide the required maintenance in the timely and reliable manner necessary to the continuing operation of the system and that the cost for this maintenance is fair and reasonable.

On motion of Councilman Coyle, duly seconded and unanimously passed, award was given to Hewlett-Packard, the sole source, for hardware support of Minicomputer - HP 3000.

May 12, 1986

Re: Introduction of
Ordinance: To grant
Text Amendment, T-72-85,
J. A. Lynott, Applicant,
to allow canopies to
project up to the right-
of-way

On motion of Councilman Coyle, there was introduced upon the table an ordinance to grant Text Amendment Application T-72-85, J. A. Lynott, Applicant, to allow canopies to project up to the right-of-way, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of
Ordinance: To grant Text
Amendment Application,
T-75-86, to allow
carnivals as a temporary
use in the O-1 and TCM-2
zones

On motion of Councilman Coyle, there was introduced upon the table an ordinance to grant Text Amendment Application, T-75-86, to allow carnivals as a temporary use in the O-1 and TCM-2 zones, said ordinance to lay over at least one week before final action is taken.

Re: Increase Award of
Contract to Steuart
Petroleum for #2 Heating
Oil for Water Treatment
Plant

The Mayor and Council awarded a contract to Steuart Petroleum Co. for delivery of #2 heating oil to the Rockville Water Treatment Plant at its meeting on September 9, 1985.

The award was for 7,700 gallons. The estimate was based on past experience. The weather became cold earlier, however, at a time when oil prices were higher, on average. The prices have a tendency to start rather high, peak and gradually lower as demand decreases. Because of these higher

prices at the beginning of the heating season and early cold weather, an increase in the award is requested.

The increase requested is from 7,700 gallons to 11,500 gallons, an increase amounting to \$2,979. This makes the total award to Steuart Petroleum Company \$9,081.

On motion of Councilman Coyle, duly seconded and unanimously passed, the increase in the number of gallons of #2 heating oil for the Water Treatment Plant was approved as recommended by staff.

Re: Increase in Award to
Montello Oil Company for
#2 Heating oil for
Rockville Senior Center

The Mayor and Council awarded a contract to Montello Oil Company for delivery of #2 heating oil to the Rockville Senior Center at its meeting on September 9, 1985.

The estimates provided by the Center were based on past years' use which, of course, is dependent on weather conditions and on the hours of operation at the Center. A contract was also awarded in the fall to cover the operation from the burning of #5 to #2. This required that the tank be thoroughly emptied which required a larger initial fill than ever in the past.

These factors contributed to an increase in the requirement over the estimated 20,000 gallons (an award of \$16,000) to approximately 26,000 gallons. Your approval is requested to increase the award to \$20,506, \$506 over the actual budget figure but \$4,506 over the initial award.

On motion of Councilman Coyle, duly seconded and unanimously passed, the increase for #2 heating oil for the Rockville Senior Center was approved as recommended by staff.

Meeting No. 21-86

-6-

May 12, 1986

Re: Award of Contract: Bid
No. 74-86, Water Main
Cleaning & Lining

Following a comprehensive study of the City's water distribution system, certain areas of the City were identified as needing water main cleaning and cement lining to improve the quantity and pressure of the water supply. In FY 85 a contract for cleaning and lining 21,720 LF (lineal feet) of water main was let. Then this year, FY 86, a second project of 8,120 LF was proposed - Bid No. 74-86; and the CIP budget anticipates cleaning an additional 25,000 FL, part in FY 87 and part in FY 89.

Bid 74-86 includes the following water mains in the Twinbrook, Halpine Village, and Croydon Park areas of the City in priority order:

Halpine Road, 1,400 LF of 12" diameter, Chapman Ave. to Ardennes Ave.

Ardennes Avenue, 1,520 LF of 6" diameter, Halpine Rd. to Wainwright Ave.

Ardennes Avenue, 1,300 LF of 8" diameter, Wainwright Avenue to 200 feet north of Crawford Drive

Veirs Mill Road, 2,460 LF of 8" diameter, Atlantic Avenue to Broadwood Drive, and

Horners Lane, 1,450 LF of 8" diameter, Park Road to Baltimore Road

This program is funded under the Water and Sewer Fund. One bid was received this year as follows (the low bidder in FY 85, Raymond International, is no longer bidding on this kind of work):

Spiniello Construction Co., Morristown, N.J. (\$24.75 per ft.)	\$202,967.50
City Engineering Estimate (\$23.00 per foot)	189,990.00
Appropriation for Cleaning and Lining	175,000.00

The FY 85 contract was for cleaning and lining 21,720 LF of water main. The FY 85 low bidder, Raymond, bid \$21.55 per foot and second low bidder, Spiniello, bid \$24.57 per foot. The staff estimate for FY 86 was for a 7% increase to account both for inflation and for a smaller proposed job.

To maintain continuity in the cleaning/lining process, the Twinbrook/Halpine streets were given top priority, with Horners Lane scheduled as second priority, to be accomplished if the cost came in lower than anticipated. As it turned out, the price was higher than anticipated. To complete the entire project will require a supplemental appropriation of \$27,967.50 (\$202,967.50 less \$175,000). It would not be feasible to do a portion of the Horners Lane main - it must be all be done or eliminate it in its entirety.

There are two alternatives to consider at this time:

1. The total cost of proceeding with the work as planned would be \$202,967.50; a \$27,967.50 supplement to the existing appropriation of \$175,000 would be required if this alternative is chosen.
2. The Horner's Lane project could be eliminated in order to bring the total cost within the \$175,000 appropriation. The reduction in the contract amount if Horner's Lane is not done would be \$35,887.50; the resultant award to Spiniello would be \$167,080.

The Spiniello Construction Company has done extensive water main cleaning and lining work for WSSC (which reports their work has always been satisfactory).

Staff recommends that an additional appropriation of \$27,967.50 be made from the Water and Sewer Capital Improvements Fund, making the award to Spiniello for the full bid price of \$202,967.50. There is sufficient cash in the fund to cover this amount, and the Mayor and Council can authorize additional expenditures for the fund without making use of an Appropriations Ordinance.

Full funding for the project is recommended, as a deletion of the Horner's Lane project from the scope of this contract would require that it be added to next year's scope of work. There is no guarantee that the bids next year will be more favorable than this.

Councilman Abrams asked if the staff had considered in sticher form. Staff said they had no information on this but would return with further

Meeting No. 21-86

-8-

May 12, 1986

information on this new technology. At this time, concrete seemed to be the best lining to use.

On motion of Councilman Hartogensis, duly seconded and unanimously passed, Bid No. 74-86, was awarded to Spiniello for the full price of \$202,967.50 with an additional appropriation of \$27,967.50 from the water and sewer Capital Improvements Fund.

Re: Report of High School
Participants and Student
Government Days

Rusty Wallace introduced the 18 students who had worked on the City's Student Government Days Program this year. He particularly thanked Terri Auchter and Blithe Caplin, staff members who had worked on the project. He introduced Mayor George Chen who reported to the Council on the matter of drug searches in schools by administrators. The second reporter was Janet Fitzgerald, Director of Planning, who gave a presentation on Tweed Park. The third presentation was done by John Amspaugh and Steve Krauss as Director of Police and City Manager who gave a report on house parties. At the closing of the presentations, Mayor Van Grack presented the young people with certificates and tokens of recognition from the City. The following students took part in the program: (from Wootton) Joy Chen, Ron Dhindsa, Steven Krauss, Norah Shire, Eric Stroud, and Edward Sun; (from Rockville) John Amspaugh, Valerie Dellastatious, Stacey Joyce, Matthew Katz, Bill Reed, and Karla Smith; and (from Richard Montgomery) Eugene Bredow, Janet Fitzgerald, Edward J. Harris Jr., Linda Holloway, Susan Olsen, and Chan Park.

Re: Proclamation: Historic
Preservation Week, May
11-17, 1986

Proclamation No. 5-86

There being no objection from the Council, Mayor Van Grack proceeded to

proclaim the week of May 11-17, 1986, as Historic Preservation Week in Rockville and called upon the citizens to recognize and participate in this special observance. Harlow Osborne, President of Peerless Rockville, accepted the proclamation on behalf of the organization and presented the Peerless Preservation Awards for 1986 to Mr. & Mrs. Arthur Wagman, Mr. & Mrs. Jesse Hebron, the Parson Family and the Sante Family.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Glenn Looper, 118 Monroe Street, President, Rockville Chamber of Commerce. Mr. Looper reported to the Council on the success of the Career Fair held last Saturday in which a thousand perspective employees joined in visiting the 29 booths that were representative of companies such as PEPCO, Sovran Bank and George Washington University Hospital. He presented to the Mayor and Council the new Rockville Chamber Community Guide and invited their participation in the Scholarship Awards to be given at the Chamber of Commerce Luncheon on Tuesday.

2. Patrick Woodward, 111 North Van Buren Street, President of West End Civic Association. Mr. Woodward spoke to the Mayor and Council concerning Town Center pedestrian safety and noted that the City had failed to file a grant application promptly and for that reason funding could be lost. He also asked for more police enforcement of the "No Right Turn On Red" at Washington and Montgomery Avenue. Councilman Abrams asked Mr. Woodward to please furnish the Mayor and Council with the further facts on the timeliness of the application since the Mayor and Council would prefer to see that avoided. He clarified for Mr. Woodward the law which Gramm/Rudman does not affect since it operates on State priorities.

Meeting No. 21-86

-10-

May 12, 1986

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Public Hearing: Intent
to Raise the Tax Rate
above the Constant Yield

Re: Public Hearing: Proposed
Operating Budget,
Capital Improvements
Program and Use of
Federal Revenue Sharing
Funds

The Mayor and Council conducted a combined public hearing on the intent to raise the tax rate above the constant yield and on the Proposed Operating Budget and Capital Improvements Program and Use of Federal Revenue Sharing Funds, and heard those persons as will be found in the official stenographic transcript of the hearing. The hearing is to be continued on Tuesday, May 27, 1986, at 8:00 p.m.

Re: Public Hearing: Map
Amendment Application,
M-48-86, Mayor and
Council of Rockville,
MD, Applicant,
requesting that an
unimproved lot located
on South Stonestreet
Ave. at Reading Place an
area of 9,042 square
feet, be rezoned from
the present I-1,
Industrial Zone, to R-
75, Residential Zone

The Mayor and Council conducted a public hearing on Map Amendment Application, M-48-86, Mayor and Council of Rockville, Applicant, requesting that an unimproved lot located on South Stonestreet Avenue at Reading Place, an area of 9,042 square feet, be rezoned from the present I-1, Industrial Zone, to R-75, Residential Zone, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen

wishing to be heard, the Mayor closed the hearing with the record to be held open until May 23, 1986, at 5:00 p.m.

Re: Public Hearing: Pro-
posed Ordinance: To
Amend Chapter 11 of the
"Laws of Rockville",
entitled "Traffic &
Transportation" so as to
prohibit on-street
commercial vehicle and
truck parking

Re: Public Hearing: Pro-
posed Ordinance: To
Amend Chapter 11 of the
"Laws of Rockville",
entitled "Traffic &
Transportation" so as to
clarify the prohibitions
of on-street parking

The Mayor and Council conducted a combined public hearing on both ordinances to amend Chapter 11 of the "Laws of Rockville". The first ordinance is to prohibit on-street commercial vehicle and truck parking and the second ordinance is to clarify the prohibitions of on-street parking, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor closed the hearing with the record to be held open for thirty (30) days after which the Mayor and Council will conduct a work session.

Re: Approval of fees for use
of Civic Center

The Mayor and Council adopted the following fee schedule for the use of the Civic Center:

Meeting No. 21-86

-12-

May 12, 1986

<u>MANSION</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Meetings (3 hours)		
Rockville Public	\$30	\$35
Other	\$60	\$65
6-Month Permit	\$60	\$65
Social Events (5 hours + 2 hours setup)		
Rockville Public	\$315	\$350
Rockville Private	\$525	\$550
Other	\$790	\$825
SOCIAL HALL (5 hours)		
Rockville Public	\$170	\$190
Rockville Private	\$275	\$290
Other	\$460	\$485
THEATRE		
Rockville Public	\$145 (3 hours)	\$200 (4 hours)
Rockville Private	not in FY 85	\$390
Other	\$355	\$495
COTTAGE		
Same as Mansion Meeting Rates		
RECREATION BUILDINGS		
Rockville Public		
Single Meeting	\$15	\$15
6-Month Permit	\$45	\$50
Social Event	\$60	\$65
Rockville Private		
Single Meeting	\$20	\$20
Social Event	\$60	\$65
PARKS (Picnic Area for Rockville Public & Private Only)		
Non-Alcohol	\$30	\$35
Alcohol	\$75	\$80

On motion of Councilman Coyle, duly seconded and unanimously passed, the Civic Center Fees were adopted as recommended.

Councilman Abrams questioned the accompanying memorandum which showed the percentage of Rockville residents in the Rockville Little Theatre membership. The memorandum showed 44% when in fact the percentage was only 25 out of 82 or 30%. Mr. Bayor said corrections will be made.

Re: Waiver of Variance
Application Fee for
Montgomery Historical
Society

The Montgomery County Historical Society has requested that the Mayor and Council waive the application fee for a special exception to the Board of Appeals which the Historical Society has incurred in order to put in a driveway turn around at the Bryant property on Montgomery Avenue.

On motion of Councilman Abrams, duly seconded and unanimously passed, the waiver was granted.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Polinger Co., re Congressional Towers
2. Val Schneider, re commending City employees
3. SHA responses to Senators' letters re Falls Road/Kersey

Councilman Hartogensis suggested that this information be conveyed to the citizens and perhaps they re-evaluate the re-opening of Crestview Drive in order to solve this problem. Councilman Duncan preferred that a letter be written explaining the situation and only list the re-opening of Crestview as one alternative. Mayor Van Grack asked that Potomac Woods also be included in the mailing and asked options.

4. J. Zukov, re Rockville Day
H.C. Lipford, Rockville Day
5. S. Gildenhorn, commending City Policeman
6. Triple "F" Senior Club, re Adult Day Care

Re: New Business

1. Councilman Abrams asked if the information could be forwarded to the Council on the handicapped parking enforcement and the possibility of citizens enforcing these laws.

Meeting No. 21-86

-14-

May 12, 1986

2. Councilman Abrams noted that tomorrow the Board of Education discusses the placement of an international program studies at Richard Montgomery and asked for more information on this.

3. Councilman Duncan said he has this evening a proposed alternative to Rent Control which he is distributing to the Council and would like to discuss at another time.

4. Mayor Van Grack asked that a memorandum prepared by Terri Auchter be sent to the Twinbrook Association.

5. Mayor Van Grack noted that the CIP work session will be held tomorrow evening beginning at 7:00 p.m.

Re: Executive Session

On motion of Councilman Hartogensis, duly seconded and unanimously passed, the meeting was closed for Executive Session to discuss personnel.

Re: Adjournment

There being no further business to come before the Mayor and Council in Executive Session, the meeting was adjourned at 1:50 a.m. on Tuesday, May 13, 1986, to convene again in work session at 7:00 p.m. on May 13, 1986, or at the call of the Mayor.